

## Message Text

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PAGE 01 STATE 032820  
ORIGIN EB-08

INFO OCT-01 EA-07 ISO-00 /016 R

66011  
DRAFTED BY: EB/AN:TROESCH:BA  
APPROVED BY: EB/AN:JBMAGNOR  
-----141622Z 035516 /50  
O 141510Z FEB 77  
FM SECSTATE WASHDC  
TO AMEMBASSY TOKYO IMMEDIATE

C O N F I D E N T I A L STATE 032820

FOR ROBERT A. BROWN, USDEL CIVAIR

FOLLOWING REPEAT MANILA 2230 14 FEB 77

QUOTE C O N F I D E N T I A L MANILA 2230

E. O. 11652: GDS  
TAGS: EAIR, RP  
SUBJECT: CIVAIR: PAL ALL-CARGO APPLICATION

REF: (A) MANILA 2186, (B) STATE 032214

1. NEEDLESS TO SAY, I DO NOT RPT NOT AGREE WITH DEPT.  
VIEW THAT CAB INTENTION TO REJECT PAL ALL-CARGO APPLICATION  
IS "REASONABLE AND LEGALLY COULD BE DEFENDED." THIS  
EMBASSY NEGOTIATED THE EXCHANGE OF NOTES IN QUESTION AND  
HAS FULL UNDERSTANDING OF LETTER OF AGREEMENT AS WELL AS  
ITS NEGOTIATING HISTORY.

2. THE U.S. IS CLEARLY OBLIGATED TO PROVIDE CAB CERTIFICATION  
TO PAL UPON APPLICATION. THE GOP, ON THE OTHER HAND, IS  
OBLIGATED ONLY TO GIVE "SYMPATHETIC CONSIDERATION" TO  
APPLICATIONS BY U.S. CARRIERS. SINCE BOTH PAN AM AND  
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FLYING TIGER APPLICATIONS ARE STILL TECHNICALLY UNDER  
CONSIDERATION BY PHIL CAB, THERE IS NO RPT NO GROUNDS FOR  
ALLEGATION THAT VIOLATION OF AGREEMENT HAS OCCURRED.  
MOREOVER, PAN AM APPLICATION IS FOR RECORD PURPOSES ONLY  
AND IT IS HIGHLY UNLIKELY PAN AM WOULD WISH INSTITUTE  
NEW SERVICE EVEN IF PHIL CAB APPROVES ITS APPLICATION.

3. EMBASSY IS NOTIFYING U.S. CARRIERS OF POTENTIAL ACTION  
BY USCAB, WHICH COULD, OF COURSE, PLACE ALL U.S. CIVIL  
AIR OPERATIONS HERE IN JEOPARDY SINCE IT WOULD, IN OUR  
JUDGMENT, BE CLEAR VIOLATION OF U.S. RESPONSIBILITIES  
UNDER EXISTING AGREEMENT. IF THIS COURSE OF ACTION  
PURSUED, WE CAN LOGICALLY EXPECT GOP TO REPUDIATE EXISTING  
AGREEMENT AND PLACE ALL OUR CIVIL AVIATION ARRANGEMENTS  
BACK AT SQUARE ZERO. THIS IS A NEEDLESS RISK TO TAKE ON  
A TRIVIAL MATTER WHICH IS SUSCEPTIBLE OF SETTLEMENT IF A  
LITTLE SOPHISTICATION CAN BE BROUGHT TO BEAR.

SULLIVAN

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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CIVIL AVIATION, NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 14-Feb-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE032820  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** EB/AN:TROESCH:BA  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Litigation History:**  
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**Message ID:** 8656cec6-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN EB  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 MANILA 2186, 77 STATE 32214  
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**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
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**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3326932  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** CIVAIR: PAL ALL-CARGO APPLICATION  
**TAGS:** EAIR, RP, US, PAL  
**To:** TOKYO  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009